

**REMARKS**

Claims 6-9 remain pending in the application.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 6 and 7 stand rejected under 35 USC 103(a) as being unpatentable over Cornett (5,216,162) in view of Nulman (6,456,894) and further in view of Shavit (4,799,156).

Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Johnson (5,712,989).

Claim 9 stands rejected under 35 USC 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Kou (6,363,365).

For the reasons said forth hereafter, it is submitted that the claims, as now amended, patentably distinguish over the prior art.

**Patentability of the Claims**

Independent claim 6 has been further amended to define and emphasize the following features of Applicants' invention:

1) "a function of receiving, by said server, said selected parts information as information of parts that at least one of the users has placed orders for with a manufacturer of said power plant"; and

2) "a function of automatically outputting the information of parts that said user has placed orders for and received by said server as a table of ordered parts, to a terminal of a person in charge of said manufacturer".

With the features as now claimed discussed above, when an order of parts has been placed from a user to a manufacturer of the power plant, the server receives information of the ordered parts and the information is automatically outputted to a terminal of a person in charge of the manufacturer that the order has been placed for from the user, together with a list of the ordered parts. With this construction it is possible to order earlier the parts necessary for management and maintenance of the power plant from the user to the manufacturer.

None of the cited references disclose the above structural elements particularly "a function of automatically outputting the information of parts that said user has placed orders for and received by said server as a table of ordered parts, to a terminal of a person in charge of said manufacture".

Cornett is primarily directed to a computer-integrated maintenance systems which improves on the decision-making for assigning maintenance of an apparatus and ordering parts therefore, so as to avoid, for example, maintenance on a system that is to be taken off-line permanently. More specifically, Cornett discloses a spare stock management subsystem for controlling spare parts orders, and an engineer change control subsystem for managing and maintaining a parts manual file by adding planned drawings and parts listed on the parts manual file and changing or deleting the file. Cornett's subsystem describes only effecting stock management of spare parts.

As the Examiner noted on page 4 of the Action, Cornett fails to explicitly disclose a database accumulating information on unit price of parts and information of the subtotal price of each part.

To supply this deficiency of Cornett, the Examiner cited Nulman as disclosing the concept of a power management system and a spare parts inventory and scheduling system and stated that it would have been obvious to modify the maintenance system of Cornett to include the spare parts inventory control taught by Nulman in order to minimize cost and/or reduce production cost. Nulman relates to techniques for semiconductor processing, particularly for wafer manufacturing, which is stated to provide improvements in process control, quality, yield and cost reduction.

On page five of the Action, the Examiner further acknowledged that both Cornett and Nulman fail to explicitly disclose a function of transmitting information of the parts that the manufacturer received the orders for from the user as information of preliminary showing of orders from the manufacturer to a cooperating manufacturer of the manufacturer.

To provide this deficiency of the teachings of Cornett and Nulman, the Examiner further cited Shavit as disclosing information to multiple manufacturers and stated that from this teaching, it would have been obvious to one of ordinary skill in the art to modify the maintenance systems of Cornett and Nulman to include the showing of orders to multiple manufacturers in order to process transactions between a plurality of sellers, buyers and providers. It is noted that Shavit specifically relates to a system for interactive on-line electronic communications and processing of business transactions between a plurality of different types of independent users, including at least a plurality of sellers and a plurality of buyers, as well as financial institutions and freight service providers. The system is said to permit concurrent interactive business transaction sessions between different users.

None of the Cornett, Nulman and Shavit patents disclose the newly added feature of claim 1 of a function of automatically outputting the information of parts that the user has placed orders for and received by the server as a table of ordered parts to a terminal of a person in charge of the manufacture. Accordingly, it is submitted that claim 1 is patentable over this combination of references.

With respect to claim 8, dependent from claim 7, which in turn is dependent from claim 6, the Examiner rejected this claim as being unpatentable over the combination of Cornett, Nulman and Johnson 5,712,989. Claim 9, which is dependent from claim 7, which in turn is also dependent from claim 6, was rejected as obvious over the combination of Cornett in view of Nulman and Kau 6,363,365.

In rejecting claims 8 and 9 the Examiner did not refer to the Shavit '156 used in the rejection of claim 6. As the Examiner acknowledged on page 5 of the Action, Cornett and Nulman fail to disclose a function of transmitting information of the parts that the manufacturer received the orders for from the user as information of a preliminary showing of orders from the manufacturer to a cooperating manufacturer of the manufacturer. Since claims 8 and 9 are dependent from claim 6, through claim 7, the Examiner has not cited a reference in the rejection of claims 8 and 9 which meets this limitation of claim 6. Accordingly, the rejection of claims 8 and 9 over Cornett and Nulman and Johnson is not sustainable.

With specific regard to the Johnson '989 and the Kau '365 patents, Johnson was only cited as teaching the utilization of one way communication between business partners in a procurement system while Kau was only cited as teaching the use of limited access capability in a procurement system. Neither of these patents discloses the features of Applicants invention as now set forth in amended claim 6

and claims 7, 8 and 9 depending therefrom. Thus, the present invention as now defined in the amended claims is patentable over the cited references.

It is further noted that with respect to combining the various references in the manner done so by the Examiner to reject claims 6, 7, 8 and 9, there is no teaching, suggestion or motivation in any of the references that would lead a person of ordinary skill in the art to combine their teachings in the manner done so by the Examiner to find the present invention as now claimed obvious. In combining the references, the Examiner has isolated features of each of the references and attempted to combine or rearrange them without any teaching, motivation or suggestion in any of the references of such a combination.

Moreover, it is difficult to fathom how one skilled in the art would find Applicant's invention obvious when it requires three different references to allegedly arrive at Applicant's invention. To the extent that Applicant's invention allegedly is obvious, it could only be obvious when viewed with the hindsight of Applicants' invention and would require a reconstruction of the various cited references to arrive at Applicants' invention. An Examiner may not use the claimed invention as an instruction manual to piece the teachings of the prior art so that the claimed invention is rendered obvious.

Accordingly, it is submitted that claims 6-9 are patentable.


**CONCLUSION**

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. NIP-252-02).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

A handwritten signature in cursive script, reading "Gene W. Stockman", written over a horizontal line.

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